

State of South Dakota

EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

400L0349

HOUSE BILL NO. 1041

Introduced by: The Committee on Transportation at the request of the Department of
Revenue and Regulation

1 FOR AN ACT ENTITLED, An Act to require certain vehicle dealers to utilize an electronic title
2 file system.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 32-3 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Upon the sale or acquisition of any vehicle required to be titled pursuant to this chapter, a
7 dealer licensed pursuant to this title shall utilize, if available, an electronic title file system
8 approved by the department to verify vehicle ownership information and to record changes to
9 vehicle ownership information.

10 Section 2. That § 32-3-38.1 be amended to read as follows:

11 32-3-38.1. Any bank, savings and loan association, ~~or credit union,~~ or any dealer licensed
12 pursuant to this title may be provided access to motor vehicle title and lien information
13 maintained on the state's computer system via a modem and terminal owned by the bank,
14 savings and loan association, ~~or credit union,~~ or dealer. The Department of Revenue and
15 Regulation shall promulgate rules pursuant to chapter 1-26 to specify access availability. The



1 secretary of state shall promulgate rules pursuant to chapter 1-26 to specify cost of access. The
2 Department of Revenue and Regulation may deny or revoke authority previously granted for
3 accessing this information if the information accessed is used for any ~~reason unrelated to the~~
4 ~~business of the bank, savings and loan association, or credit union~~ purpose not authorized by
5 law.

6 Section 3. That § 32-6B-65 be repealed.

7 ~~— 32-6B-65. Any vehicle dealer or used vehicle dealer licensed pursuant to this chapter may~~
8 ~~be provided access to title information maintained on the state's computer system via a modem~~
9 ~~and terminal owned by the dealer. The Department of Revenue and Regulation shall promulgate~~
10 ~~rules pursuant to chapter 1-26 to specify access availability, cost of access, and permitted uses~~
11 ~~of the title information.~~

12 Section 4. The provisions of section 1 of this Act become effective on July 1, 2009.